

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANTHONY TYRONE SMITH,

Plaintiff,

Case No. 20-10471

v.

Hon. George Caram Steeh

ART MUCIS BUSINESS AND
ALL INVOLVED,

Defendant.

/

ORDER GRANTING APPLICATION TO PROCEED
IN FORMA PAUPERIS AND DISMISSING COMPLAINT

Appearing pro se, Plaintiff Anthony Tyrone Smith filed a complaint on February 24, 2020, and an application to proceed without prepayment of fees on March 6, 2020. The court finds Plaintiff's application to proceed *in forma pauperis* to be facially sufficient and, therefore, grants Plaintiff's motion to proceed without prepayment of fees. See 28 U.S.C. § 1915(a); *Gibson v. R.G. Smith Co.*, 915 F.2d 260, 262 (6th Cir. 1990).

Once a court grants a plaintiff permission to proceed *in forma pauperis*, it must review the complaint pursuant to 28 U.S.C. § 1915(e).

The court “shall dismiss” the case if the court finds that it is “(i) frivolous or malicious; (ii) fails to state a claim on which relief may be granted; or (iii) seeks monetary relief against a defendant who is immune from such relief.” 28 U.S.C. § 1915(e)(2)(B). In addition, “a district court may, at any time, dismiss *sua sponte* a complaint for lack of subject-matter jurisdiction pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure when the allegations of a complaint are totally implausible, attenuated, unsubstantial, frivolous, devoid of merit, or no longer open to discussion.” *Apple v. Glenn*, 183 F.3d 477, 479 (6th Cir.1999).

To the extent the court understands Plaintiff’s complaint, he appears to be claiming defamation of character and a claim regarding a deed that was adjudicated in state court. Plaintiff’s allegations are based in state law; he alleges no facts or law establishing federal subject matter jurisdiction. This court does not have authority to review a state court judgment. See *Rowe v. City of Detroit*, 234 F.3d 1269, 2000 WL 1679474 (6th Cir. 2000) (“The *Rooker-Feldman* doctrine provides that federal district courts generally lack jurisdiction to review and determine the validity of state court judgments, even in the face of allegations that “the state court’s action was unconstitutional.”).

Because the court finds no basis for federal subject matter jurisdiction, IT IS HEREBY ORDERED that Plaintiff's complaint is DISMISSED.

Dated: April 6, 2020

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on April 6, 2020, by electronic and/or ordinary mail and also on Anthony Tyrone Smith, 17421 Saint Aubin St., Detroit, MI 48212.

s/Brianna Sauve
Deputy Clerk